

Protection Order Committee
Judicial Conference of Indiana

Minutes

January 26, 2018

The Protection Order Committee met at the Indiana Judicial Center on Friday, January 26, 2018 from 12:00 noon – 3:30 p.m.

1. Members present. Andrew K. Antrim, Marshelle D. Broadwell, David L. Chidester, Kathleen Tighe Coriden, Alexis Vazquez Dedelow, Jennifer Lynne DeGroote, Sara A. Dungan, Holly M. Harvey, Paula Lantz and Sean M. Persin, Chair.
2. Staff present. Jeffrey Bercovitz, LaJuan Epperson, Tom Jones, and Lisa Manning provided the committee with staff assistance.
3. Guest present. Christy Eurtion, Floyd County Clerk was also present.
4. Minutes approved. The minutes for the meeting on October 27, 2017 were approved.
5. Committee. Judge Persin welcomed Clerk Paula Lantz, White County as a new member of the committee. The committee introduced themselves to the new member.
6. Recent legislation. Committee members discuss SB 291, concerning the expungement of protection orders. They agreed to have Judge Persin, Chair talk to Mary Willis about having someone who knows Senator Young, author of the bill, contact him to determine the background of the proposed legislation. Members of the committee also discussed SB 114, SB 127 and HB 1093, which along with SB 291, all expected to die this year.
7. Child protection order.
 - a. Committee members discussed the new JQ case type for child protection orders in a memo dated December 19, 2017 distributed to courts and clerks. A FAQ list of additional questions was distributed, which they revised.
 - b. Lisa Manning reviewed the new Child Protection Order Petition with members of the committee and suggested removal of the option to check a box to indicate whether the petition was filed after notice and hearing. The committee agreed by consensus with this recommendation.
8. Electronic filing of protection orders. LaJuan Epperson gave a brief report on the progress of work on the Protection Order Electronic Filing Service Provider.
9. Questions.
 - a. LaJuan Epperson asked who is filing the Confidential Form in no contact order cases. She stated in 50-75% of the time this form was not filed in No Contact Order cases. Law enforcement officers cannot definitively identify the Petitioner without the form, and determine violations of the order. A date of birth is not required on the

Confidential Form and it is not being filed in many cases. She said more of these forms need to be filed.

b. Judge Persin agreed to research if the law requires a date of birth for the protected person and whether it should be a required field on the Confidential Form.

c. LaJuan reported a court requested the identification of “next friend” and the child as “petitioner” when a Protection Order is filed on Behalf of a Child in Odyssey. The committee agreed to this procedure of identifying each person in Odyssey.

d. LaJuan stated on PO-0101, 5(d) should be removed and “petitioner” be added to the end of 5(c). The committee agreed to this revision by consensus.

10. Protection Order Deskbook. Members of the committee reviewed the revised Chapter 2 of the Deskbook, focusing on new language, which indicates domestic violence may occur if a denial of a protection order petition is served on the respondent. Judge Coriden moved to approve Chapter 2 revisions. Judge Antrim seconded the motion. The motion was passed, 9-1.

11. Next meeting.

a. Committee members (1) agreed to review PO-0113, Long Form Protection Order; and (2) Mag. Broadwell and Mag. DeGroote agreed review and revise PO-0122, Order of Transfer to a Court Having Jurisdiction, including Deskbook changes if needed, and

b. Members of the committee agreed to meet again on following Fridays: February 23, 2018; May 25, 2018 (if needed); June 29, 2018; August 24, 2018, and October 26, 2018, all from 12:00 Noon – 3:30 p.m. at the new offices of the Indiana Office of Court Services, 251 North Illinois Street, North Tower, Suite 800.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law